IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

WRIT PETITION NO.1760 OF 1989

Century Textiles & Industries Ltd. & anr. Petitioners
vs.
Union of India & anr. Respondents

Mr.D.H.Mehta i/b.Mr.N.M.Shah for the petitioners.

Mrs.N.V.Masurkar with Mr.A.S.Rao for the respondents.

CORAM : R. M. LODHA &
J. P. DEVADHAR,JJ.

DATED : 5th April, 2006

P.C.

We heard Mr.D.H.Mehta, the learned counsel for the petitioners.

2. Mr.D.H.Mehta does not dispute that the controversy raised in the writ petition is wholly and squarely concluded by our judgment dated 15th April, 2004 passed in Writ Petition No.2097/1989-Gokak Patel Volkart Ltd. & anr. v. Union of India & anr. and the decision of another Division Bench in the case of Bombay Dyeing & Mfg.Co.Ltd. & Anr. v. Union of India & anr. in Appeal No.456/1996 in Writ Petition No.2090/1989 decided on 22nd September, 2005.

3. The controversy being covered by the aforesaid two

decisions and there being no other point, the writ petition is liable to be dismissed and we order accordingly.

4. Needless to say that the respondent no.2 shall now proceed with the final assessment in accordance with law.

5. Rule is disposed of accordingly with no order as to costs.

6. We direct the petitioners to keep alive the Bank Guarantee furnished pursuant to the interim order of this Court dated 6th July, 1989 until the final assessment is made and for a period of four weeks thereafter.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)